

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DONALD C. CLARK,	:	CIVIL ACTION
Plaintiff,	:	
vs.	:	NO. 10-4063
	:	
KRAFT FOODS, INC.,	:	
Defendant.	:	

ORDER

AND NOW, this 21st day of May, 2013, upon consideration of Defendant's Motion for Reconsideration of the Court's Order Dated October 28, 2011 Denying Kraft's Motion for Summary Judgment (Document No. 86, filed January 31, 2013), and Plaintiff's Answer to Defendant's Motion for Reconsideration of the Court's Order Dated October 28, 2011 Denying Kraft's Motion for Summary Judgment (Document 91, filed March 11, 2013), for the reasons stated in the Memorandum dated May 21, 2013, **IT IS ORDERED AS FOLLOWS:**

1. That part of defendant's Motion which seeks reconsideration of the Court's Order dated October 28, 2011 is **DENIED**.
2. That part of defendant's Motion which seeks to strike the Declaration of Vern Quarles is **DENIED WITHOUT PREJUDICE** to defendant's right to raise the issue at a later date if warranted by the facts.
3. That part of defendant's Motion which seeks to strike the declarations of Allen Harris and Richard Gardenhire is **DENIED WITHOUT PREJUDICE** to defendant's right to raise the issue at a later date if warranted by the facts.

BY THE COURT:

/s/ Hon. Jan E. DuBois

DuBOIS, JAN E., J.